



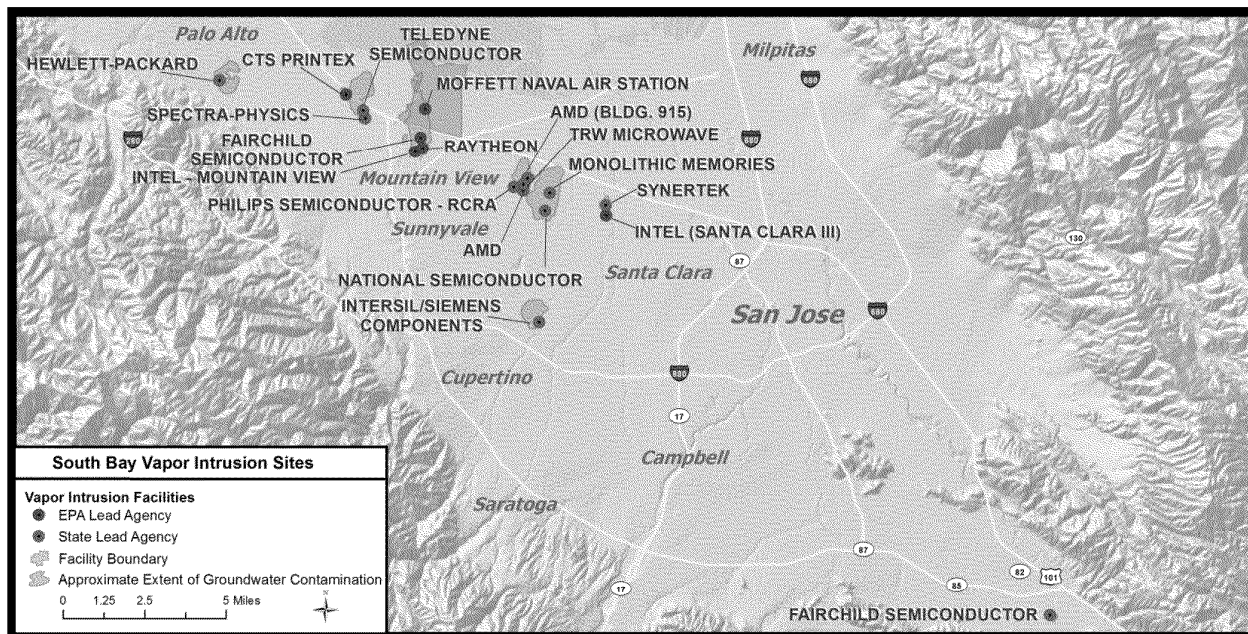
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 9

75 Hawthorne Street
San Francisco, CA 94105

BRIEFING MEMO

DATE: April 29, 2014
SUBJ: South Bay Sites VI Update
FROM: Melanie Morash, Remedial Project Manager
TO: Enrique Manzanilla, Director, Superfund Division



Main Issue – South Bay Site RPs request for meeting with EPA & Regional Water Board management to challenge EPA Region 9 December 3rd 2013 South Bay Sites TCE short-term/VI guidelines letter

Timeline –

- Ongoing - Residential and commercial indoor air sampling in various stages at the South Bay Sites
- October 30th 2013 – Enrique & project team meet with HP/Varian group at EPA SF
- December 3rd 2013 – EPA issues South Bay Sites Letter (VI/TCE) to Regional Water Board & Regional Board subsequently issues individual Workplan Requirement Letters to South Bay Site RPs, citing EPA guidelines
- April 17th 2014 – Multiple RPs request meeting with Enrique to dispute EPA Region 9's South Bay Sites Letter

Key Points –

- Some RPs more cooperative than others...all generally challenge legitimacy of using South Bay Sites letter to require investigative activities
 - o RPs say EPA is circumventing the “CERCLA process,” however CERCLA and the NCP give EPA the authority to require interim actions during a long-term remediation to evaluate potential or actual exposures
- EPA Region 9 approach fully consistent with HQ path towards establishing guidance for protecting against short-term inhalation exposures from TCE
- EPA Region 9 continues to fully support Regional Water Board and prepared for enforcement action
- Technical basis for evaluating vapor intrusion pathway is strong, based on modeling, regional and national research and empirical data, including data collected from South Bay sites and other sites in Region 9
- Companies should be prepared to have senior environmental management staff present at the meeting vs having attorneys drive the discussion
- Companies fearful of lawsuits and impacts to public image
 - o So far outreach has mainly consisted of door-to-door individual communication which has gone smoothly without incident
 - o EPA has not yet held a town hall-type meeting with media present, which we can always decide to convene

SOUTH BAY SITES AT A GLANCE

| Site Name | Vapor Intrusion Investigation Summary | | | | | | | |
|--|---------------------------------------|------------|--|---|-----------------------------|-----------|-----------------------------|-----------------------|
| | Residential (# of buildings) | | | | Commercial (# of buildings) | | | |
| | Total | Sampled | Mitigated | Evaluate Further | Total | Sampled | Mitigated | Evaluate Further |
| MEW Study Area (Mountain View) | | | | | | | | |
| MEW Area (S101) | ~400 | 134 | 3 + NEW ~40 | Pending GW/SG investigation , if over TCE 5 ppb upon request | 68 | 68 | 15 + NEW ~10 | 68 Ongoing |
| Moffett Field Area (N101) | 181 | ~50 | NEW- 181 not all over the TCE plume | 0 | 52 | 51 | 6 | 52 Ongoing |
| Triple Site: AMD 901/902, TRW Microwave, and Phillips (RCRA) Combined Sites and Off-Site OU (Sunnyvale) | | | | | | | | |

| | | | | | | | | |
|---|---|-----|-----|---|-----|-----|-----|-----|
| AMD 901/902 Thompson Place | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 1 | 1 | 0 | 1 |
| TRW Microwave | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 1 | 1 | 1 | 1 |
| Phillips (RCRA Site) | | | | | | | | |
| Current Study Area | TBD | 0 | 0 | TBD | TBD | 0 | 0 | TBD |
| Companies Off-Site Operable Unit | | | | | | | | |
| Current Study Area | 2 | 2 | 0 | 2 | TBD | 0 | 0 | TBD |
| If step-out to 5 ug/L add | 250 | 0 | 0 | 250 | TBD | 0 | 0 | TBD |
| AMD 915 DeGuigne Drive (Sunnyvale) | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 1 | 1 | TBD | 1 |
| If step-out to 5 ug/L add | See Triple Site Off-Site OU (off-property plume co-mingled) | | | | | | | |
| AMD/Monolithic Memories 1165/1175 East Arques Avenue (Sunnyvale) | | | | | | | | |
| Current Study Area | 1 | 1 | TBD | 1 | 1 | 1 | 1 | 1 |
| If step-out to 5 ug/L add | See National Semiconductor (off-property plume co-mingled) | | | | | | | |
| National Semiconductor (Santa Clara & Sunnyvale) | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 22 | 6 | 2 | 19 |
| If step-out to 5 ug/L add | 40 | 0 | -- | 40 | 120 | 2 | 2 | 120 |
| Fairchild Semiconductor 101 Bernal Road (San Jose) | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 6 | 0 | -- | 6 |
| If step-out to 5 ug/L add | TBD | 0 | 0 | TBD | TBD | 0 | 0 | TBD |
| Hewlett Packard 620-640 Page Mill Road / COE Study Area (Palo Alto) | | | | | | | | |
| Current Study Area | 36 | 21 | 0 | 18 | 10 | 1 | 0 | 9 |
| If step-out to 5 ug/L add | 60 | 0 | 0 | 60 | 35 | 0 | 0 | 35 |
| Intersil/Siemens (Sunnyvale & Cupertino) | | | | | | | | |
| Current Study Area | 25 | 9 | 0 | 18 | 2 | 2 | TBD | 2 |
| If step-out to 5 ug/L add | TBD | 0 | 0 | TBD | TBD | 0 | 0 | TBD |
| Teledyne Semiconductor/Spectra-Physics Lasers (Mountain View) | | | | | | | | |
| Current Study Area | 32 | 20 | 2 | 13 | 16 | 11 | 3 | 16 |
| If step-out to 5 ug/L add | 8 | 0 | 0 | 8 | 55 | 1 | 0 | 55 |
| Synertek Building 1 (Santa Clara) | | | | | | | | |
| Current Study Area | 0 | -- | -- | -- | 1 | 1 | 0 | 1 |
| If step-out to 5 ug/L add | 0 | -- | -- | -- | 1 | 0 | -- | 1 |
| SUBTOTALS | | | | | | | | |
| High Concentration over 50 ug/L | 677 | 53 | 2 | 52 | 59 | 25 | 7 | 57 |
| Low Concentration out to 5 ug/L | 358 | 184 | 224 | 358 + additional pending investigations | 331 | 122 | 33 | 331 |
| TOTALS | 1131 | 237 | 226 | 410+ | 390 | 147 | 40 | 388 |

- Residential (approx. 1,131 total buildings)

- o Of approx. 677 buildings in the high concentration areas (over 50 ug/L), 53 have been sampled and 2 have been mitigated. Over low concentration areas (between 5 and 50

ug/L), an additional approx. 358 buildings have been identified, of which 184 have been sampled and 3 mitigated. 220 additional homes were newly built in the area and preemptively mitigated.

- Commercial (approx. 390 total buildings)
 - o Of approx. 59 buildings in the high concentration areas (over 50 ug/L), 25 have been sampled and 7 have been mitigated. Additional evaluation is needed at most of these buildings (primarily the HVAC-off sampling). Over low concentration areas (between 5 and 50 ug/L), an additional approx. 331 buildings have been identified, of which 122 have been sampled and 23 mitigated. 10 additional buildings were newly built in the area and preemptively mitigated.